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8 *Representing defendant KENTON HARDY KING*

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UNITED STATES DISTRICT COURT
For the
DISTRICT OF NEVADA

13 UNITED STATES OF AMERICA,
14 Plaintiff,
15 v.
16 KENTON HARDY KING,
17 Defendant.

18 Case No. 2:20-cr-00344-JAD-DJA

19
20 **DEFENDANT'S MOTION FOR LEAVE TO FILE MEDICAL LETTERS UNDER SEAL**

21 COMES NOW, Defendant Kenton Hardy King who, by and through counsel, Michael
22 L. Becker of the Las Vegas Defense Group, L.L.C., pursuant to Local Rule IA 10-5, hereby
23 requests leave of the Court to file the following document UNDER SEAL:

24
25
26 **Letter from John A. Pacult, LCSW**
Fax from ICAN Family Services

DATED this 22nd day of December, 2020.

/s/Michael L. Becker
Michael L. Becker, Esq.
Attorney for Defendant

1. APPLICABLE LOCAL RULE RELATING TO SEALED DOCUMENTS

A. LR IA 10-5 entitled "Sealed Documents"

Local Rule IA 10-05 entitled “Sealed Documents” states as follows:

- (a) Unless otherwise permitted by statute, rule or prior court order, papers filed with a court under seal must be accompanied by a motion for leave to file those documents under seal.

B. LR IC 4-1(c)

Local Rule IC 4-1(c) entitled "Service" states as follows:

- (b) Paper Service. Service of documents in paper form is required in the following circumstances, even if the document is electronically filed:

(4) When a document is filed under seal. See LR IA 10-5.

Per the attached affidavit of counsel, Defendant seeks leave to file medical letters under seal because they contain confidential medical/mental health related information.

DATED this 22nd day of December, 2020.

/s/Michael L. Becker
Michael L. Becker, Esq.
Attorney for Defendant

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UNITED STATES DISTRICT COURT
For the
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,
Plaintiff,
v.
KENTON HARDY KING,
Defendant.

Case No. 2:20-cr-00344-JAD-DJA

**AFFIDAVIT OF MICHAEL L.
BECKER (LR IA 10-5(C))**

I, MICHAEL L. BECKER, under penalty of perjury, declare as follows:

1. I am over 18 years and have personal knowledge of the facts stated herein and I
am competent to testify to the facts herein and will so testify if called upon.
2. In accordance with Local Rule IA 10-5(a), this affidavit is provided to show
good cause why Defendant is seeking the Leave to File said documents under
seal, namely, letters from medical providers because they contain confidential
medical/mental health related information

In declare under the penalty of perjury on information and belief under the laws of the State of Nevada and the United States that the foregoing is true and correct to the best of my knowledge.

DATED this 22nd day of December, 2020.

/s/Michael L. Becker
Michael L. Becker, Esq.
Attorney for Defendant

**UNITED STATES DISTRICT COURT
For the
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
KENTON HARDY KING,
Defendant.

Case No. 2:20-cr-00344-JAD-DJA

ORDER

Based upon the above-mentioned Motion and Affidavit and GOOD CAUSE
APPEARING, IT IS HEREBY ORDERED that DEFENDANT'S MEDICAL
LETTERS be filed under seal.

Dated this 23rd day of December, 2020

UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I, MICHAEL L. BECKER, certify that the following individual was served with a copy of the **MOTION FOR LEAVE TO FILE MEDICAL LETTERS UNDER SEAL** by mailing a copy to:

Supriya Prasad
Assistant United States Attorney
United States Attorney's Office, District of Nevada
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, NV 89101

DATED: December 22, 2020

//s//

JOHN S. PACULT, LCSW, INC.

6655 W. Sahara, Suite B200, Las Vegas, Nevada 89146
Telephone: (702) 248-5456 Fax: (702) 889-4232

December 17th, 2020

The Las Vegas Defense Group
Mr. Michael V. Castillo, Esq.
2970 W. Sahara Ave.
Las Vegas, NV 89102

Re: Mr. Kenton King

Dear Mr. Castillo,

I have seen Mr. King for multiple therapy sessions since September and he has made significant progress. Mr. King has resumed gainful employment; has been attending an intensive outpatient treatment program in order to address addiction and impulse control, to include Neurofeedback to help with impulse control directly related to neurological pathways in the brain. Mr. King has also started taking medication (Luvox) to help with impulse control and he reports having almost no urges to act out in any way. Mr. King has also been attending Gambler's Anonymous and Sex Addicts Anonymous meetings and is developing increased insight into his history of addiction along with managing any current urges to do anything impulsive.

Mr. King has made extremely good progress in two and a half months and the only session he missed was due to contracting COVID. This therapist does not believe that Mr. King presents any type of a flight risk and he is doing well on house arrest. Ideally, he can remain on house arrest so he can continue with his very intensive and comprehensive outpatient treatment and gainful employment. This therapist also believes that based upon his history and current progress that Mr. King's reoffense risk is in the low risk range at this time as there are no identifiable or observable risk factors.

Respectfully submitted,

John S. Pacult, LCSW

John S. Pacult, LCSW, Clinical Director
Contracted Evaluator with DJJS, the
Department of Public Safety and certified
competency evaluator

FAX COVER SHEET

To: 7029740524 **From:** ICAN Family Services
<faxes@tcbilling.com>
Company: **Date:** 12/21/2020 11:50
Fax Number: 7029740524 **Pages (Including cover):** 5
Re: Kenton King

Notes:

To: Michael Becker, Esq Criminal Defense Attorney at 702 Defense
ne: 702-530-2325
fax: 702-974-0524
email. Michael@702defense.com
phone: 702-530-2325
fax: 702-974-0524
email. Michael@702defense.com

From: Billye Darbe, MA, LCPC
Director of IOP & PHP
ICAN Family Services by TrueCare Treatment Centers
<http://www.icanfamilyservices.com/>
www.truecaretc.com

Best,

Jodie L. Goldberg, Executive Assistant

True Care Treatment Centers

Cell: # 702.378.6283

Fax: # 775-571-0279

<https://www.truecaretc.com>

<https://www.icanfamilyservices.com>

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ICAN Family Services by TrueCare Treatment Centers
2901 N. Tenaya Way, Suite 100
Las Vegas, NV 89128
(702) 291-2151

From: Billye M. Darbe, LCPC
ICAN Family Services
2901 N. Tenaya Way, Suite 100
Las Vegas, NV 89128
Date: 12/21/2020

Regarding: Kenton King, DOB: 5/27/1995

Your Honor,

I am writing this letter on behalf of Kenton king, DOB 5/27/1995. My name is Billye Darbe, and I am a Licensed Clinical Professional Counselor at ICAN Family Services. I am the director of the PHP& IOP program. I regularly conduct group sessions, review notes, complete insurance authorizations, and supervise the IOP/PHP staff. I met the client when he began services at ICAN Family Services.

He has been attending the Intensive Outpatient Program (IOP) at ICAN Family Services. Kenton was assessment by our facility on 10/9/2020 and began services 10/12/2020. He currently does not have a scheduled discharge date. He attends our program 3x days a week (Monday, Wednesday, and Thursday) from 4 to 7 p.m. He receives group therapy, neurofeedback, and medication management. He attended services on the following dates: 10/12, 10/14, 10/15, 10/19, 10/21, 10/22, 10/26, 10/28, 10/29, 11/2, 11/4, 11/5, 11/9, 11/11, 11/12, 11/16, 11/18, 11/19, 11/23 (program closed for Thanksgiving holiday on 11/25 & 11/26), 11/30, 12/2, 12/3, 12/7, 12/9, 12/10, 12/14, 12/16, and 12/17. Kenton has attended all scheduled services.

Kenton currently participates with medication management services with our provider, Zelluyah Gaitho, PMHNP. He is currently prescribed Fluvoxamine 50mg QHS. He reports improvement and has been compliant with medication as prescribed by the provider.

Kenton has been participating in our program and we have been treating him for depression, anxiety, and impulsivity. Kenton presents to every group session, and individual service on-time. Client has been supportive, appropriate in group, and engaging. Kenton has begun to rebuild his life and has been working to improve himself. He reports improvement in mood, urges, and anxiety. He has been helpful, and insightful in the group process itself. Kenton has many stressors outside of the group and expresses the desire to improvement himself. Kenton has been a



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successful part of our group and continues to demonstrate the desire to grow. Kenton has demonstrated kindness, honesty, and integrity in the group. He has been honest about events in his life with clinical staff and has continue to attend. Kenton reports a sincere desire to put his life back together.

Please let me know if I can be of any continue assistance.

Billye M. Darbe, LCPC

A handwritten signature in black ink, appearing to read "Billye M. Darbe, LCPC", is placed over a horizontal line.